



# Irrigated Lands Program Frequently Asked Questions

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## **What is the Irrigated Lands Program?**

The Central Coast Water Board regulates discharges from irrigated agricultural lands to protect surface water and groundwater using Order No. R3-2021-0040, General Waste Discharge Requirements for Discharges from Irrigated Lands (commonly referred to as Agricultural Order 4.0). The Irrigated Lands Program has been in place for many years since the issuance of the first Agricultural Order in 2004 and subsequent Agricultural Orders in 2012 and 2017.

## **What is Agricultural Order 4.0?**

On April 15, 2021, the Central Coast Regional Water Quality Control Board adopted updated General Waste Discharge Requirements for Discharges from Irrigated Lands (Agricultural Order 4.0). The requirements in Agricultural Order 4.0 protect human health, protect and restore the beneficial uses of surface and groundwater, and achieve water quality objectives specified in the Central Coast Basin Plan by minimizing nitrogen discharges to groundwater, and minimizing nutrient, pesticide and sediment discharges to surface water. Agricultural Order 4.0 also requires the protection of riparian and wetland habitat.

## **Who is regulated?**

Agricultural Order 4.0 regulates both landowners and operators of irrigated lands where water is applied for producing commercial crops. Examples are:

- Land planted to row, vineyard, field and tree crops where irrigation water is applied for producing commercial crops,
- Specific commercial nurseries, nursery stock production, and greenhouse operations, and/or
- Land planted to commercial crops that are not yet marketable, such as vineyards and tree crops.

## **What are commercial irrigated lands?**

Irrigated lands producing commercial crops are those operations that have one or more of the following characteristics:

- The landowner or operator holds a current Operator Identification Number/Permit Number for pesticide use reporting,
- The crop and/or its product is sold, including but not limited to (1) an industry cooperative,
- (2) harvest crew/company, or (3) a direct marketing location, such as Certified Farmers Markets, and/or
- The federal Department of Treasury Internal Revenue Service form 1040 Schedule F Profit or Loss from Farming is used to file federal taxes.

## **Who is responsible for complying?**

Agricultural Order 4.0 regulates both landowners and operators of commercial irrigated lands on or from which there are discharges of waste or activities that could affect the quality of any surface water or groundwater or result in the impairment of beneficial uses. Both landowners and operators are responsible for complying with the requirements of Agricultural Order 4.0, regardless of whether the landowner or the operator is the enrolled party.

## How do I enroll?

Landowners and/or operators of commercial irrigated lands must submit an electronic Notice of Intent (eNOI) to enroll unless they have already done so. The eNOI and instructions are available on the Irrigated Lands Program website at:

[https://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ilp/enrollment.html](https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/enrollment.html)

## What are the requirements?

The requirements in Agricultural Order 4.0 are developed to protect human health, protect and restore beneficial uses, and achieve water quality objectives specified in the Central Coast Basin Plan by:

- Minimizing nitrate discharges to groundwater,
- Minimizing nutrient discharges to surface water,
- Minimizing toxicity in surface water from pesticide discharges,
- Minimizing sediment discharges to surface water, and
- Protecting riparian and wetland habitat.

In general, Agricultural Order 4.0 requirements include:

- Phasing in of groundwater requirements and prioritization of surface water requirements,
- Planning, management practice implementation, effectiveness assessment, and continuing education,
- Numeric targets and limits for fertilizer nitrogen application,
- Numeric targets and limits for nitrogen discharge to groundwater, along with long-term timelines to achieve those limits (i.e., 30 years),
- Numeric limits for pesticides, nutrients, and turbidity/sediment in surface water,
- Monitoring and reporting to document progress and compliance,
- On-farm domestic well monitoring for nitrate and 1,2,3-trichloropropane (TCP) to ensure well users are aware of any potential human health risks associated with their groundwater,
- Protection of existing riparian areas and wetlands, and
- Third-party program criteria, third-party alternative compliance pathway program for groundwater protection, and third-party program surface water priority areas.

## What is my ranch Groundwater Phase or Surface Water Priority?

Irrigated Lands Program staff sent out information to growers in late June 2021 that provided the groundwater phase and surface water priority areas assigned to each currently enrolled ranch. In addition, the ranch electronic Notice of Intent (eNOI) has been updated on the Water Board's GeoTracker website. Enrolled Growers can see the Groundwater Phase and Surface Water Priority area when they access their ranch eNOI information using their GeoTracker username and password.

## **Are third-party programs available to assist me?**

Growers may comply with portions of Agricultural Order 4.0 by participating in third-party groups or programs approved by the Executive Officer. In this case, the third-party can assist individual growers to achieve compliance, including implementing water quality improvement projects and required monitoring and reporting.

Approved third-party program information is available at:

[https://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ilp/third\\_parties.html](https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/third_parties.html)

Growers who elect to join an approved third-party program must notify the approved third-party program administrator of their election to participate in the third-party program within 60 days of: 1) approval of the third-party program, and/or 2) the Discharger's enrollment in this Order, whichever is later.

## **Are technical assistance providers available to assist me?**

Several organizations such as the NRCS (Natural Resources Conservation Service), RCDs (Resource Conservation Districts), UCCE (UC Cooperative Extension), Farm Bureaus, and other nonprofit organizations are available to provide technical assistance to Growers and guidance with enrollment and other Agricultural Order 4.0 requirements.

For a list of technical assistance providers and private industry consultants, visit:

[https://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ilp/technical\\_assistance.html](https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/technical_assistance.html)

## **What happens if I do not comply?**

Growers who do not comply with the requirements of Agricultural Order 4.0 may be subject to enforcement, consistent with the State's Enforcement Policy. The Central Coast Water Board will use progressive enforcement, ranging from notices of violations or requests for information to financial penalties, as appropriate.

## **How can I learn more?**

Please visit us online at the Irrigated Lands Program website for additional information:

[https://www.waterboards.ca.gov/rwqcb3/water\\_issues/programs/ilp/](https://www.waterboards.ca.gov/rwqcb3/water_issues/programs/ilp/).

If you have any questions about the updated Agricultural Order 4.0 requirements, need assistance, or would like a hardcopy of Agricultural Order 4.0, please reach out to Irrigated Lands Program staff at (805) 549-3148 or [AgNOI@waterboards.ca.gov](mailto:AgNOI@waterboards.ca.gov).